

1 Steven M. Chabre, SBN 173271
2 The Law Office of Steven M. Chabre
3 1335 Park Avenue
4 Alameda, CA 94501
(510) 749-1440
(510) 749-0466 (fax)

5 Attorney for Plaintiff

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8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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11 MARK ROWELL,) Case No.: C 10-5656 PSG
12 Plaintiff,)
13 vs.)
14 AVIZA TECHNOLOGY HEALTH AND)
15 WELFARE PLAN and HARTFORD LIFE)
16 AND ACCIDENT INSURANCE)
17 COMPANY,)
18 Defendants.)
19

)
Case No.: C 10-5656 PSG
**DECLARATION OF STEVEN CHABRE IN
SUPPORT OF PLAINTIFF'S MOTION
TO COMPEL DISCOVERY**

)
Hearing Date: September 27, 2011
Hearing Time: 10:00 AM
Hearing Place: San Jose

)
Hon. Paul S. Grewal, Magistrate Judge

20 I, Steven M. Chabre, declare as follows:

21 1. I am the attorney of record in this matter for plaintiff. By reason of my
22 representation of plaintiff, I am familiar with the following facts:
23
24 2. On August 1, 2011 I met and conferred with Michael Bernacchi, defendants'
25 attorney, regarding the discovery disputes that are the subject of plaintiff's motion to compel.
26 The attached exhibit marked Exhibit A is a true and exact copy of the e-mails that document our
27 discussions regarding the discovery dispute to date.

3. The attached exhibit marked Exhibit B is a true and exact copy of the discovery requests plaintiff served on defendant Hartford Life and Accident Insurance Company on May 17, 2011 along with Hartford's responses dated July 15, 2011.

4. The attached exhibit marked Exhibit C is a true and exact copy of the declaration of Scott Kale, M.D. filed in Case No. 10-cv-04019-WHA (N.D.Cal. 2/17/11), Docket No. 34-1.

5. The attached exhibit marked Exhibit D is a true and exact copy of the reports of Anne MacGuire, M.D. of BMI in the file that Hartford produced with its initial disclosures.

6. The attached exhibit marked Exhibit E is a true and exact copy of a report of Michael Powell, D.O. dated October 11, 2010 regarding plaintiff.

7. The attached exhibit marked Exhibit F is a true and exact copy of a page from the claim notes regarding plaintiff's insurance claims that Hartford produced with its initial disclosures.

I declare that the above is true, under penalty of perjury under the laws of the United States. Signed this 11th day of December, 2011 in Alameda, California.

/s/